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PATENT
09/319,109REMARKS

Claims 1 – 30 are presented for examination. In the Office Action mailed on May 1, 2003, the Examiner rejected Claims 1, 7, 9, 14, 16, 21, 23, 24, and 26 – 30 under 35 U.S.C. §102(e) as being anticipated by Romesburg (U.S. Patent No. 6,148,078); Claims 2 and 22 under 35 U.S.C. §103(a) as being unpatentable over Romesburg in view of Umemoto (U.S. Patent No. 5,416,829); and Claims 3 – 6 and 8 under 35 U.S.C. §103(a) as being unpatentable over Romesburg in view of the Examiner's official notice. However, the Examiner stated that Claims 5 and 15 would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims. The Applicants respectfully traverse the Examiner's rejections.

35 U.S.C. §102(e): Claims 1, 7, 9, 14, 16, 21, 23, 24, and 26 – 30

Regarding Claim 1, the Examiner states that Romesburg discloses all of the features of the instant claim, and refers to FIG. 3 accordingly. The Applicants respectfully submit that FIG. 3 shows an echo suppressor and an echo canceller.

"The acoustic echo canceler dynamically models the acoustic path from the loudspeaker to the microphone and attempts to cancel any loudspeaker sound picked up by the microphone. The echo suppressor then provides additional echo attenuation as necessary, and comfort noise is optionally added via summing device to compensate for near-end noise attenuated by the echo suppressor." Col. 7, lines 54 – 61.

In contrast, the instant claim is directed to an acoustic echo canceller and a *network* echo suppressor. Romesburg does not teach the use of a *network* echo suppressor. Romesburg presumes that the conditions which cause the need for a *network* echo suppressor, i.e., howling, does not exist.

"Note also that the above discussion presumes that the network equipment between the near-end and far-end users is sufficient to prevent the howling which can occur at frequencies for which the round-trip gain (i.e., the

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signal gain from the far-end user, across the network and back to the far-end user) is greater than unity. In other words, if the echo suppressor is to be completely deactivated based on the absence of far-end speech, something else, (e.g., a network echo canceler) should be used to prevent howling." Col. 6, lines 23 - 31.

According to the above paragraph, Romesburg teaches an invention that is distinct from network echo cancellers, which in turn is distinct from network echo suppressors. However, Romeburg proposes a generic solution to the problem of network echo:

"Alternatively, instead of completely deactivating the echo suppressor during periods of no far-end speech, the echo suppressor can remain active and can be adjusted (in the case of clipping, scaling and hybrid suppressors) to provide a nominal level of attenuation which is just sufficient to prevent howling (e.g., -6 to -10 dB)." Col. 6, lines 32 - 37.

However, Romesburg never teaches how the above alternative works to prevent howling. In other words, this alternative does not solve the problem of "howling" at the near-end since the echo suppressor in Romesburg is only configured to attenuate the far-end audio signal *on the path back* to the far-end speaker. See FIG. 3. The far-end audio signal is passed directly to the near-end loudspeaker, adjusted for volume. In contrast, the instant claims are for attenuating a network echo that is carried on a receive signal path through to the acoustic echo canceller. Claim 1 is amended to clarify this concept.

Hence, since Romesburg does not teach each and every feature of the instant claim, the Applicants respectfully submit that the instant claim is not anticipated by Romesburg.

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Claims 7 and 9 - 10 are dependent upon Claim 1, and hence, incorporate features that are not taught by Romesburg.

Claims 11 - 14, 16 - 21, 23, 26 - 30 also includes the feature described above, which is not taught by Romesburg. Hence, the Applicants respectfully submit that the instant claims are also not anticipated by Romesburg. Independent Claims 11 and 21 are amended to clarify that the attenuated network echo is passed to the acoustic echo canceller.

35 U.S.C. §103(a): Claims 2 and 22

Claims 2 and 22 also includes the feature described above, which is not taught by Romesburg nor Umemoto. Hence, the Applicants respectfully submit that the instant claims are not rendered unpatentable by Romesburg in view of Omemoto.

35 U.S.C. §103(a): Claims 3 - 6 and 8

Claims 3 - 6 and 8 also includes the feature described above, which is not taught by Romesburg. Hence, the Applicants respectfully submit that the instant claims are also not anticipated by Romesburg.

Claims 5 and 15

Although allowable if rewritten in independent format incorporating the underlying rejected base claims, Claims 5 and 15 have not been amended. The Applicants will refrain from amendments of these claims until the merits of the underlying base claims are resolved.

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CONCLUSION

In light of amendments and arguments presented above, the Applicants respectfully submit that the instant claims are patentable. Accordingly, reconsideration and allowance of this Application is earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

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